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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/673,686	09/29/2003	Benjamin N. Eldridge	P7D7C2-US	1295
50905	7590	01/09/2006	EXAMINER	
N. KENNETH BURRASTON KIRTON & MCCONKIE P.O. BOX 45120 SALT LAKE CITY, UT 84145-0120			KARLSEN, ERNEST F	
			ART UNIT	PAPER NUMBER
			2829	

DATE MAILED: 01/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/673,686

Applicant(s)

ELDRIDGE ET AL. *W.A.*

Examiner

Ernest F. Karlsen

Art Unit

2829

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 October 2005.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 47-59 and 66-72 is/are pending in the application.
4a) Of the above claim(s) 48-59, 66-70 and 72 is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 47 and 71 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

Claims 1-46 and 60-65 have been cancelled by Applicants.

Claims 48-70 and 72 are withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to a nonelected inventions and/or species, there being no allowable generic or linking claim. Applicant timely traversed the restriction (election) requirement in the reply filed on October 31, 2005.

Applicant's election with traverse of Group XIV in the reply filed on October 31, 2005 is acknowledged. The traversal is on the ground(s) that the inventions are related and are capable of use together and that the inventions do not have different modes of operation, different functions or different effects. This is not found persuasive because Applicants have not shown that the inventions are not patentably distinct. For the purpose of discussion take for an example a more mundane apparatus such as a chair where claim 1 calls for a chair with a seat, legs and a back. Claim 2 depends from claim 1 and adds wheels. Claim 3 depends from claim 1 and adds handles attached to the back. Claim 1 is a linking claim that links claims 2 and 3. Claim 2 is not to wheels, it is to a seat, back, legs and wheels. Claim 3 is not to handles, it is to a seat, back, legs and handles. If the apparatus of claim 2 and claim 3 were combined there would be two seats, two backs, two sets of legs, one set of wheels and one set of handles. The above claim 2 would not be anticipated by a reference that showed handles and the above claim 3 would not be anticipated by a reference that showed wheels. If Applicants admit on the record that any rejection effective against any one of the 15 groups is effective against all groups, the restriction will be withdrawn and all claims examined.

The requirement is still deemed proper and is therefore made FINAL.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 47 and 71 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kinsman et al in view of Elder et al. With regard to claim 47, Kinsman et al show a burnin apparatus wherein a wire 51 bonded to a pad on element 21 is also connected to a pad on a test board 13 which has a plurality of pads. The connection to element 37 is a pressure contact. The apparatus of Kinsman et al is operated in an environment of elevated temperature. Kinsman et al shows a die being tested but does not show a wafer being tested. Elder et al show equivalence of testing a wafer and a die. See the abstract. It would have been obvious to one of ordinary skill in the art at the time of the invention to have used any apparatus for testing die to test wafers in accord with the teaching of Elder et al because one of ordinary skill in the art would realize that so doing would enable greater breadth of selection of test and burnin devices. With regard to claim 71, any solid metal is springy.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Southgate is cited to show pressure connections between spring elements 30 which are on a die with pads 26. Simpson is cited to show strain relief connectors.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication should be directed to Ernest F. Karlsen at telephone number 571-272-1961.

Ernest F. Karlsen

January 4, 2006


ERNEST KARLSEN
PRIMARY EXAMINER